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The State of South Carolina
In The Court of Appeals

Appeal From Richland County
South Carolina Administrative Law Court

Judge S. Philip Lenski, Administrative
Case No.: 1700434

Appellate Case No.: 2017-002215

Ronald L. Legg, #359236 Appellant,
v.
South Carolina Dept. of Corrections, Respondent.

Appeal Brief

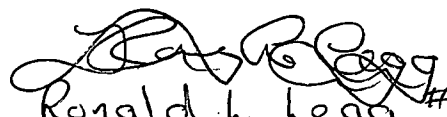
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NOV 15 2017

SC Court of Appeals

SCDC
Dept. of General Counsel
Melissa J. Arnold
4444 Broad River Rd.
Columbia, S.C. 29221

Nov. 14, 2017


Ronald L. Legg #359236
ECI FS-121, 610 Hwy. 9, West
Bennettsville, S.C. 29512

_____ Contents _____

Statement of Issues on Appeal	Page 1 thru 2
Procedural History	Page 3 thru 4
Statement of The Case And Legal Argument	Page 4 thru 8
In Conclusion	Page 9

Exhibit 'A' . . . EWC Inquiry

Exhibit 'B' . . . Step 1 Grievance

Exhibit 'C' . . . Step 2 Grievance

Exhibit 'D' . . . Respondent's Moot Motion

Exhibit 'E' . . . Appellant's Objection To Moot Motion

Exhibit 'F' . . . Statement of Issues on Appeal (ALC)

Statement Of Issues On Appeal

(1). The Administrative Law Court's determination for ruling on Defendant's Moot Motion, favorable to Defendant, was arbitrary and capricious error, in that, Judgment, if rendered, by favoring Appellant's Objection to Defendant's Moot Motion to Dismiss, would have had practical effect, by showing Defendant's Motion, lacked factual substance for finality on the case, thereby, Mootness was insufficient standing, in that, Defendant did not resolve the case with meritorious finality, subordinate to the issue of controversy. And Court had opportunity to rule on merit of factual substance in Defendant's Mootness-appropriateness, by reason of Appellant's Objection to Mootness, by Appellant's illustration, showing that, in accordance with Defendant's grant on Retroactive, Earned Work Credits, (REWCs), as one issue, demonstrated mathematical error, in Defendant's grant, which did not resolve that issue for meritorious finality. Thereby, issue of controversy is in remain, shown by fact: Court could have ruled on the necessity for Defendant to produce just result, subordinate to the issue of controversy, which would support integrity of due process, and jurisprudential respect of the principle of order, carried by substantive right.

(2). Administrative Law Court further, failed to rule on the South Carolina Dept. Of Correction's institutional denial of Appellant's grievances, "without just cause," for ruling; determining proper accountability.

(3). Administrative Law Court ruled in contrary factuality by its determination in 'Order Granting Motion To Dismiss on Moot Grounds,' as it was asserted

by the Court in footnote (1), that Appellant claimed he was not properly awarded work credits from July 12, 2016 to present, and thereby, raised this as a new issue. This error is magnified by the fact it was clearly illustrated in Appellant's Motion, "Objection To Defendant's Moot Motion," that, said credits were previously established, as factual existence, by the Max out date of March 28, 2018 as credited for the July 12, 2016 to present work performance. See Kiosk entry No.: 17-451482. Thereby, factual error was a determination upon the Administrative Law Court's ruling.

(4) See also *Exhibit 'F'*

Procedural History

Appellant, an inmate in the South Carolina Dept. of Corrections, (S.C.D.C.), brought forth the issue of controversy, asserting that his right to 'Retroactive Earned Work Credits, (REWCs), was denied without just cause, which affected the finality of sentence max out date. And therefore, forced Appellant to exhaust the S.C.D.C. Grievance procedures, and then, Appellant had to file an appeal with the South Carolina Administrative Law Court, (ALC), Case No.: 17C0434, for determining the appropriate work credits, as (REWCs), according to S.C.D.C. Policy 21.07 (8.3), which entailed the effect on the max out date as a grievous loss issue.

Defendant, S.C.D.C.; represented through the S.C.D.C. Dept. of General Counsel, filed "Motion To Dismiss As Most," Exhibit 'D,' as Defendant asserted, "the Division of Operations elected to grant Appellant the earned work credits he was entitled." While in the same breathe, asserted Defendant did no wrong. See also, "Appellant's Objection To Respondent's Motion To Dismiss As Most," Exhibit 'E,' where, Appellant asserts that, in fact, the (REWCs) granted by Defendant established a new max out date. See Exhibit 'A,' which was contaminated by error of incorrect calculation, which did not equate to a correct effect on the max out date, and thereby, the judicial resolve is not conclusive, wherefore, the case remains as an issue of controversy due to the same over-run, past the correct max out date, by appropriate number of (REWCs) not resolved.

Appellant's "Statement of Issues On Appeal," filed in the (ALC), See Exhibit 'F,' page (2), paragraph (2), asserted, "The administrative remedial denials have violated Appellant's Liberty Interest by continuing to

imprison Appellant beyond the legal sentence."

Statement Of The Case And Legal Argument

The Court failed to make a clear determination from Appellant's Objection, Exhibit 'E,' from Appellant's clear illustration he put forward, by the point being made, in Appellant's argument expressed through the chosen terms in the phrase "equitable equivalence," page (1), paragraph (2), and page (2), paragraph (5), understood by the term's definitive sense they represent when used in the phrase, in such an exhibition, by establishing the illustrative comparison of two distinct elements as values, concerning the calculation for earned work credits (EWCs). The illustration highlights the fuzzy math error, by exhibiting Defendant's max out date of 12/12/17, Exhibit 'A', as awarded by 'Division Of Operations,' which in effect, apparently depreciated the established work credits for Appellant's work performance as a library clerk, with the max out date of 3/28/18, or, the calculation depreciated the (REWCs), if viewed from an equitable equivalence standard, whereby, showing combined earned work credits would show the max out date has already passed.

Would it matter to the Court if Appellant was awarded (20) days or (220) days earned work credits, when the initial question of correctness remains an issue of the original controversy? Therefore, in reading Appellant's 'Objection,' it is clear to see the question of appropriate (REWCs) was controverted, not by raising a 'new issue,' as asserted by the Court's order; now appealed.

Appellant, in fact, did not raise a new issue, but, instead, made an objection against Defendants' "Most Motion"; because, the (REWCs) grant, was vague, and without explanation, (subtle). See Exhibit 'E', page (2), first paragraph, as Appellant merely made an entailment illustration of the controversy; as entailment means: "strict, logical or analytical implication (as between two statements, so that one can be deduced from the other on purely logical grounds)." And through the use of further illustrative terms as 'equitable', which means: "the sameness in truth value: specifically: the logical relationship holding between two statements if they are either both true or both false: mutual deductability or reciprocal entailment, specifically: the relationship holding between two statements if to affirm one and to deny the other would result in a contradiction." All of these definitions come from the "Webster's Third New International Dictionary." Appellant merely stationed his argument on the comparisons of the two work performance, earned work credits, for a more clear explanatory finality, for the purpose of avoiding the merry-go-round, of forcing Appellant to return to the institutional grievance process, which only proves to shelter the same non-clarifications.

Appellant obviously has gone to great length by the exercise on extrapolative interpretation, not because of intransigent intellectualism, rather, it is because of the obtuse need for showing cause and prejudice by, the deliberative derailing of Appellant's initial issue by administrative circumlocution, as Appellant has struggled with the administration over Justice on the issue, as established in Exhibit 'E', page (2) paragraph (4), (Kiosk entry No. 17-558389), and in showing the continuous denial of accountability, See Exhibit 'D', first paragraph: "Warden determined the institution

followed policy appropriately." And this clearly is controverted by 'kiosk entry No. 17-558389. Exhibit 'E'. See also Step 1 Grievance.

It is the resultant from such academic chaos, from the institutional rhetoric, through denial, and shifting of accountability, and vagueness that leads to challenging ambiguities, and 'tae kwon doe' like semantics, in abbreviated linguistics, contaminated with disease of cynical frivolity, and prejudicial bent that has caused Appellant to defend against unruly invasion of his right to justice, through the rule of law unadulterated.

It is further because of the custom of such institutional linguistic bent for frustration of the grievance process, which creates the demand for more cogent, (legal), clarifications, as made obvious by the want in Defendant's 'Motion To Dismiss As Moot', and in Exhibit 'A'; whereby, neither issue survive a standard for jurisprudence analysis, for resolve of the controversy, other than for want of freezing adjudication, by; (1): Lack of adjudication on the Warden's determination, in accordance with Defendant's assertion that the institution followed policy appropriately, "without fact," and is contrary to the available evidence, 'No. 17-558389', and SCDC Policy 21.07, as was initially raised by Appellant in his grievance, which illustrates the institution's mishandling of the issue, and verifies Appellant's statement, "denied without just cause." See Exhibit 'E', first paragraph, and Step 2 Grievance, showing here, the institution shifted the accountability for a 19-54 form onto Lt. Freeman, as opposed to appropriately interpreting the 21.07 policy, as pointed out by Appellant. And such actions from lack of accountability to process only serves to taint the defense of the institution. (2): Lack of cogent mathematical summary on the (REWEs), for the purpose of avoiding correctness challenge that otherwise forces Appellant

back through the revolving door of the grievance process, from Defendant's non-existence of fact, subordinate to the issue of controversy, and unreasonably forces challenge on the subtle math of Exhibit 'A' document, and the collateral max out date of 12/12/17, because it does not impress upon a sustainable fact for overcoming Appellant's objection, which leaves open the obvious supposition that the applied (REWCs) calculated from the pre-existing max out date of 3/28/18 leaves a questionable discrepancy, the (ABC) ignores for appropriateness of (REWCs), even by the retrograde effect on the 3/28/18 max out date from the elected (REWCs).

Appellant has worked continually from May 2014 to the present, with the exception of approximately two weeks between job change, only as a result of institutional dorm transfer, thereby, the total calculation for earned work credits reflected from the document Exhibit 'A', on the projected max out date infringes upon the correctness of the appropriate number of (REWCs), by testimony of the projected max out date of 12/12/17.

Appellant's objection did not entertain a new issue based upon the issue of controversy over the grievous loss. Defendant in fact raised rebuttable issue in 'Moot Motion', on 'Warden's determination', which Appellant rebutted, and further illustrated Defendant's equally fallible standing on the issue of credible (REWCs), which the Court should not ignore, as appropriateness of the whole record.

The whole of the instrumentality of the Step 2 Grievance Form, by the space for inmate grievance being shortened to half the space of the Step 1 Grievance Form, appears to be purposed for the consolidation upon the grievance, which Appellant responded by citing the institution's end result of denying Appellant's grievance without just cause, which called

for adjudication in the (ALC) on the issue of (REWCS) controversy, and denial without just cause, whereby, as Appellant has demonstrated the Defendant's Exhibit 'A', contains a grievous showing with the election of numbers controverted by the fact of infecting the max out date, and previously established earned work credits, thereby, depriving Appellant of the full force and effect of the S.C.D.C. Policy 21.07, as outlined in Appellants Appeal, showing that as Appellant was forced to work, and thereby, through reciprocated earned work credits, established by law, the administration's erroneous calculation gave a grievous loss against Appellant, as the assessment gave converse effect; established law shows, by error of max out date.

Appellant's objection to Defendant's Moot Motion, was an entitlement challenge to Defendant's unsustainable argument for mootness, as moot implies that the issue in the case is denied practical purpose by Defendant's Exhibit 'A', but is clearly controverted, showing issue of controversy is in remain, even as Defendant asserts in 'Moot Motion', Appellant was entitled to the (REWCS). Appellant is thereby, indisputably entitled to the full force and effect of the issue appropriately resolved, with clarity and accountability for appropriate finality.

In practical parlance, Defendant continues to deny appropriateness of accountability for Warden's decision on institutional operations, and appropriate effect of (REWCS), which continues to penalize Appellant without just cause. Showing clearly, the (ALC's) ruling was error, based upon view of reliable, probative, and substantial evidence on the whole record.

Appellant propounded interrogatories in his appeal in the (ALC), specifically requesting Respondent to produce clarification on method for calculating earned work credits. However, Respondent did not comply.

In Conclusion

Appellant is seeking judicial determination for ruling which would impose upon Defendant, State duty for showing an accountability for Appellant's grievous loss, by Defendant providing material fact of evidence, for Warden's determination that institutions decision was appropriate, in that, Appellant's grievance(s), was denied without just cause, as asserted by Appellant, and Defendant must prove otherwise, not just make a statement by conjecture, without substantiation by fact subordinate to the issue.

Also, judicial determination for Order imposing upon Defendant, for showing conclusively, mathematical method for arriving at calculation numbers for the retroactive earned work credits, which does not disturb the previously established max out date of 3/28/18, for the purpose of clarification of record. And this must include translation for the proscribed equation, dependent upon statute and policy showing authority upon the specific learned protocol involved in the assessment on Earned Work Credits applied to Appellant for the duration of the work performance from May 2014 to July 12, 2016 in accordance with Defendant's dates in Defendant's Exhibit 'A'.

In order to avoid continual confusion over the issue of subtle showing on earned work credit numbers, Appellant is requesting showing by Defendant on a treatise, on the subject of Earned Work Credits.

Appellant is further requesting Court to issue an Order for Appellant's immediate release from the constraints of the state.

Exhibit 'A'

EWCII110D

SCDC OFFENDER MANAGEMENT SYSTEM
EARNED WORK CREDIT ASSIGNMENT

09/25/17
C058820

SCDC # 359236

EWC INQUIRY

CURR LOC...: EVANS

LEGG, RONALD LEE

OFFENDER TYPE: ADULT-STRAIGHT SENTENCE

ASSIGNMENT: 2000 EDUCATION

JOB CODE.....: 07015 CUSTODIAL WORKER

JOB RATE.....: 2 START DATE...: 05/02/14

FULL/PART IND.: F END DATE....: 07/12/16

HRS/DAY.....: 08 TERM REASON.: 15 LATERAL TRANSFER

DAYS/WEEK.....: 5

LAST ENTRY:

ON:

PROJ MAXOUT-DATE: 12/12/2017

CREATED BY: B SCOTT

ON: 09/21/17

SELECTED RECORD DISPLAYED...

PF11-QUIT PF10-MAIN MENU PF8-NEXT

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Exhibit
'B'

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS

INMATE GRIEVANCE FORM

STEP 1

INMATE NAME: <u>Ronald L. Legg</u>	RECEIVED MAY 31 2017	OFFICE USE ONLY	
SCDC NUMBER: <u>359236</u>		Grievance No. <u>ECT-0557-17</u>	
INSTITUTION: <u>Evans</u>		Code: General <u>4700</u>	
HOUSING UNIT: <u>F3-188</u> BY: <u>JB</u>		Policy _____	
WORK ASSIGNMENT: <u>Law Library Clerk</u>		Disc. Hear. _____	
		Class. _____	
		PREA _____	
		Date Received <u>5/31/17</u>	
		IGC Initials <u>TU</u>	

STATEMENT OF GRIEVANCE (Indicate the date of incident, and if the grievance is a challenge to SCDC Policy, specify which policy. Include supporting documentation and attach answered RTSM or Kiosk reference number.)

I was not credited for two years work history as a 'dorm worker' in Cherokee D' from May 2014 to May 2016, as I discovered that the Parole Board had no record of, and then through classification.

Apparently, the first Case Worker at Cherokee during this time had the required (19-54) form which does not now exist for crediting the work time. To correct this absence of document I followed up on the provisions set forth in Policy 21.07 (s.c.d.c.) for retroactive work credit, and in accordance with (8.3) of the policy, I acquired the necessary statements from two s.c.d.c. employees for verification of record, (1) from Lt. Freeman, (2) from C.O. Martin, and additionally a statement, (3) from inmate Supervisor, Ramos, accordingly, and turned these over to Ass. Warden McFadden in April of 2017 and followed up with copies given to Case Worker Ms. Bennett. Ms Bennett sent the information to Bethea who then processed the information with Columbia.

I have also processed this information on the Kiosk to Inmate Records, # 17-556375 and Classification, # 17-558389. In answer by author #C 022425), the issue for work credits was deferred to the issue of a non-existent (19-54) form, and did not address the retroactive provision in accordance with s.c.d.c. Policy 21.07 (8.3) as I processed.

I disagree with the answer because the issue of the (19-54) form is an insufficient standing which attempts to make policy 21.07 (8.3) insignificant.

[Signature] 5-26-17
Grievant Signature Date

ACTION REQUESTED: I am requesting the original 3 for 5 good time for working as a dorm worker from May 2014 to May 2016 in accordance with s.c.d.c. Policy 21.07 (8.3), because the (19-54) form has an insufficient standing (non-existent)

ACTION TAKEN BY IGC: PROCESSED UNPROCESSED OTHER

Response on Back

[Signature] 4/8/17
IGC Signature Date


(CONTINUE ON REVERSE SIDE)

WARDEN'S DECISION AND REASON:

Inmate Legg:

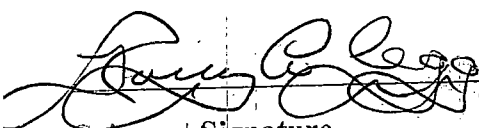
This is in response to grievance ECI 0557-17

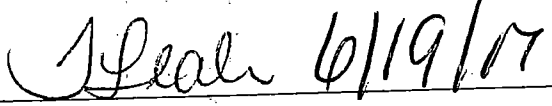
I have reviewed your grievance and the facts. According to notarized documentation received from SCDC personnel staff member Lt. K. Freeman and Officer S. Martin, you were a dorm worker in Cherokee Unit D wing from May 2014-May 2016 doing various jobs. However there is no documentation showing that you were actually assigned to the dorm as a worker by caseworker Ms. Hunt (who no longer employed with SCDC. Unfortunately without the SCDC form 19-54 to show your job assignment (if applicable) at that time Central Classification will not be able to back date any work credits. Based on the information provided, your grievance is denied.

 6-14-17
Warden Signature Date

I accept the Warden's decision and consider the matter closed.

I do not accept the Warden's decision and wish to appeal.

 6/19/17
Grievant Signature Date

 6/19/17
IGC Signature Date

INSTRUCTIONS FOR COMPLETING STEP 1 GRIEVANCE FORM

1. An informal resolution shall be attempted prior to the filing of Step 1 by sending an Inmate Request to Staff Member (RTSM) form or Kiosk reference number to the appropriate supervisor. A copy of the answered RTSM must be attached to the grievance when the grievance is filed.
2. Complete each section in its entirety writing only in the space provided for inmate use. No additional pages will be permitted.
3. Only one (1) issue is to be addressed on each form.
4. Submit the completed form by placing it in the Grievance Box at your institution within eight (8) working days of the date on the RTSM response; policy grievances can be filed at any time. Disciplinary and Classification Review appeals must be submitted within five (5) working days of the hearing/review. Do not write in the space provided for the Warden's response.
5. If you are not satisfied with the Warden's decision, you may appeal to the appropriate responsible official within five (5) days of your receipt of the Warden's decision, by placing your Step 2 appeal form in the Grievance Box at your institution.

Exhibit 'C'

RECEIVED

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
INMATE GRIEVANCE FORM
STEP 2

Due Back
by 4/24/17

Office Use Only

JUN 28 2017

JUL 21 2017

INMATE NAME: Ronald L. Legg

DIVISION OF CLASSIFICATION
& INMATE RECORDS

Grievance No. RC1 557-1
Code: General CYCC

SCDC NUMBER: 359236

RECEIVED
JUN 26 2017

INSTITUTION: Evans ✓

HOUSING UNIT: 3A-188

BY: [Signature]

WORK ASSIGNMENT: Law Library Clerk

Disc. Hear. _____
Class _____
PREA _____
Date Received: 6/26/17
IGC Initials: JL
Date Received: 6/30/17
IGA Initials: [Signature]

INMATE'S REASON FOR APPEAL (state specific dissatisfaction): I am appealing the Warden's decision because I did not contribute to the absense or loss of EWC documentation, and should not be penalized for administrative failures by ex-employee Ms. Hunt. However, paragraph 8.3 of S.C.D.C. Policy Number 21.07, specifically provides for such administrative failures by the provision for 'Remedy'. The policy thereby is not prospective, but 'remedial', because of such failures as with the 'Case Worker duty', as outlined in paragraph 1.3, ensure that records are maintained properly and that all EWC data is accurately entered into the computer. And, I have provided the necessary corrective... documentation by providing the three (3) sworn... statements

This is a Liberty Issue

Grievant Signature [Signature] Date 6-19-17

RESPONSIBLE OFFICIAL'S DECISION AND REASON:

A Staff Memoranda from Classification, for the dates of March 28, 2014 to March 9, 2017, has been reviewed to determine your job assignment history. On July 27, 2016 you were assigned to perform as a Library Helper in Education. 'The Classification Case Manager or designated Caseworker ensures institutional compliance with the Agency's EWC policy/procedures are followed. That duty includes maintaining updated job designations.' To confirm your work status between the dates of May 2014 and May 2016, proper documentation must be verified by obtaining a completed SCDC Form 19-54, Inmate Job/School Assignment form. There are no records that indicate you were assigned in such capacity during the dates in question.

Therefore, your grievance is denied.

You may appeal this decision under the Administrative Procedures Act to the Administrative Law Court. In order to appeal, you must fill out the attached Notice of Appeal Form and submit it as instructed on the form within 30 days of receipt.

Responsible Official Signature [Signature] Date 7/24/17

The decision rendered by the responsible official exhausts the appeal process of the Inmate Grievance Procedure. I hereby acknowledge receipt of the official's response and understand this is the Agency's final response to this matter.

Grievant Signature [Signature] Date 8/4/17

IGC Signature [Signature] Date 8/4/17

(SEE REVERSE SIDE FOR INSTRUCTIONS)

Exhibit 'D'

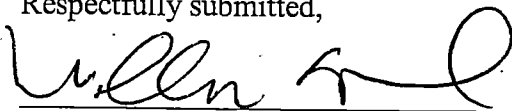
STATE OF SOUTH CAROLINA
ADMINISTRATIVE LAW COURT

Ronald Legg, #359236,)	Docket No.: 17-ALJ-04-0434-AP
)	
Appellant,)	
)	<i>Hon. S. Phillip Lenski</i>
v.)	
)	
South Carolina Department of Corrections,)	RESPONDENT'S MOTION TO DISMISS
)	AS MOOT
Respondent.)	

This matter is before the Administrative Law Court (ALC) pursuant to the appeal of Ronald L. Legg (Appellant), an inmate incarcerated with the South Carolina Department of Corrections (SCDC). Appellant filed a Step One Grievance on May 26, 2017 regarding his earned work credits. This grievance was denied after the Warden determined that the institution followed policy appropriately. Appellant filed a Step Two Grievance on June 19, 2017. This grievance was also investigated and denied on July 24, 2017.

Upon further review and a meeting with the Office of General Counsel, the Division of Operations has elected to grant Appellant the earned work credits to which he is entitled. See Exhibit A. Therefore, SCDC considers this matter moot and respectfully requests this court dismiss it.

Respectfully submitted,



Melissa J. Arnold
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September 25, 2017
Columbia, South Carolina

FILED

OCT 02 2017

State Of South Carolina
Administrative Law Court

FILED

SEP 20 2017

SC ADMIN. LAW COURT

SC ADMIN. LAW COURT

Ronald L. Legg,

Appellant,

v.

South Carolina Dept.
of Corrections,

Respondent.

) Docket No. 17-ALJ-04-0434-AP
)
)
) SC ADMIN. LAW COURT

) Hon. S. Philip Lenski
)
)

) Appellant's Objection to
) Respondent's Motion to
) Dismiss As Moot
)

This matter is before the Administrative Law Court (ALC) pursuant to the appeal of Ronald L. Legg (Appellant), an inmate incarcerated with the South Carolina Dept. of Corrections (SCDC). Appellant filed a Step One Grievance on May 26, 2017 regarding his earned work credits. This grievance was denied by the Warden without just cause. Appellant filed a Step Two Grievance on June 19, 2017. This grievance was also denied without just cause on July 24, 2017.

After receiving Respondent's Motion To Dismiss As Moot, and after reviewing Respondent's Exhibit 'A', it is determined by Appellant that a 'computation error' apparently exist with the figures of record, particularly pertaining to the projected maxout date that does not wholly compute, by not compensating for Appellant's total work history in the final equation, with the work history from 7/12/16 to the present by ~~equitable equivalence~~ with Respondent's grant on the past work credits. Question remains as to conclusionary

Justice.

Therefore, Appellant is pleading for preservation of the case for appeal before this (ALC) until the judiciable finality, and ~~the proper and correct maxout date can be affirmed by law~~, due to the fact that Appellant's true maxout date conceivably has already passed, by the Respondents election to grant earned work credits as grieved by Appellant, however, the nature of Respondent's subtle maxout date does not comport with Appellant's immediate release as would prevail by correct maxout date, as opposed to Respondent's date of 12/12/17 and, thereby, does not go to the issue of fact raised, and case remains unresolved. Thereby, case retains the justiciable issue because the Respondent put forward an incorrect conclusion, which unfairly subjects Appellant **again** to the grievance process for continuing quest for resolution if Respondent's Motion is granted.

As clearly illustrated here: Respondent's Exhibit 'A' shows a maxout date as 12/12/17 from the original maxout date of 9/21/18 by accrediting the 'Custodial Work,' (Work credits), as applied from 5/02/14 to 7/12/16 for the given '282' days work credits, however, not included in this calculation is the pre-established work credits from 7/13/16 forward, which is established as attributed to the 'Library Clerk' work performance to the present, as that projected maxout date as March 28, 2017 (which has already been established on record for '177' days, work credit), yet is not included in Respondent's projected maxout date which reflects '282' days of itself. See Kioc entry no. 17-412188 for 3/28/17 maxout date.

The totality of Appellant's (EWE's) according to ~~equitable equivalence~~ of both work performances

is summed to be approximately '459' days, which would place the correct maxcut date at June 18, 2017 which is already past. And as accordingly. Appellant drew attention to this issue previous to May 26, 2017.

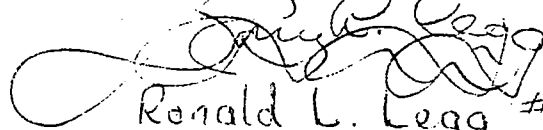
For these reasons, Appellant request the (ALC) to dismiss Respondent's Motion until a more correct summarization of the maxcut date should prevail, which may appropriately reflect the proper date of around June 18, 2017 in order to prevent Appellant from having to process further grievance procedures. And, in further necessity, based upon the continuing judicial controversy, Appellant's grievances were denied without just cause as Appellant continues to insist on Respondent's production of Appellant's prepaounded interrogatories for assisting the matter as to the question; as to whether the (SCOC) administration did in fact follow policy properly as asserted by Respondent, which requires a judicial resolution.

Respondent's Motion To Dismiss As Moot must be denied for the interest of justice.

Also see ~~Kiosk~~ Entry
No.: 17-558389

Correction
Kiosk Entry
No.: 17-451482

Sincerely Submitted,



Ronald L. Legg # 359236
EC1 3A-188
610 Hwy. 9, West
Bennettsville, S.C. 29512

Exhibit 'F'

Statement Of Issues On Appeal

ABC Case No.: 17C0434

Grievance No.: ECI 557-17

Judge Lenski

Appellant exhausted South Carolina Department of Correction's Grievance procedures by filing inmate Step 1 and Step 2 Grievance Forms for: work history and earned work credits correction, through pursuing S.C.D.C. Policy 21.07 provisions for 'Retroactive Earned Work Credits', because of administrative failures in documentation on Appellant's work history which has effect on Appellant's Liberty Interest.

The administrative remedial denials have violated Appellant's liberty interests by continuing to imprison Appellant beyond the legal sentence, and thereby denies Appellant's rights by failing to give statutory remedy as grieved, and in having failed to do so procedurally, and substantively by the following issues:

(A). Violation of constitutional and statutory provisions, and in.

(B). Clearly erroneous decision in view of reliable, probative, and substantial evidence on the whole record, and in.

(C). Arbitrary and capricious or characterized by abuse of discretion by clearly denying the obvious illustrated remedy, thereby showing effort to frustrate Appellant's procedural and substantive rights which have been clearly prejudiced, based upon Appellant's classification as a State prisoner, and thereby:

(D). Denying equal protection of the laws, violating Appellant's procedural and substantive rights in accordance with the protections guaranteed by the U.S. Constitutional Fifth and Fourteenth Amendments and State of South Carolina's Constitution Art. 1 § 3.

B/c

The State Of South Carolina
In The Court Of Appeals

Appeal From Richland County
South Carolina Administrative Law Court

Judge S. Philip Lenski, Administrative
Case No.: 17CB434

Appellate Case No.: 2017-002215

Ronald L. Legg # 359236,

Appellant

✓

South Carolina Dept. Of Corrections, Respondent

RECEIVED

Proof Of Service

NOV 15 2017

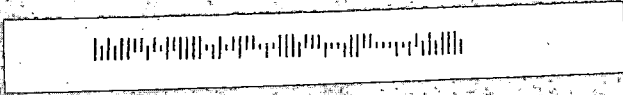
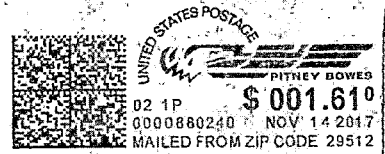
SC Court of Appeals

I certify that I have served a copy of Appeal Brief on the South Carolina Dept. Of Corrections, through Respondent's representative, Dept. of General Counsel, Melissa J. Arnold, by depositing a copy of it in the United States Mail, prepaid on, Nov. 14, 2017 addressed to SCOC, Dept. Of General Counsel, 4444 Broad River Rd., Columbia, S.C. 29221 and therewith service.

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